



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q63518

Shinoobu TANAKA

Appln. No.: 09/883,279

Group Art Unit: 2167

Confirmation No.: 1528

Examiner: Frank E. Werner

Filed: June 19, 2001

For: SINGLE LEVER WITH BUTTON FOR SELECTIVELY CONTROLLING EITHER
TILT OR LIFT OF A FORKLIFT MECHANISM

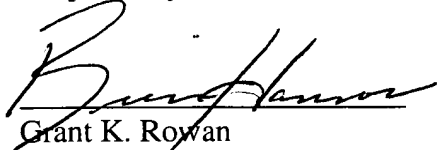
SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,


Grant K. Rowan 32,778
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SUGHRUE MION, PLLC
Telephone: (202) 293-7060
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WASHINGTON OFFICE



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PATENT TRADEMARK OFFICE

Date: April 24, 2003

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PATENT APPLICATION 5/12/03

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TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, on behalf of the petitioner, NIPPON YUSOKI CO., LTD., represents that the petitioner, NIPPON YUSOKI CO., LTD. is the owner of the entire right, title and interest of U.S. Application No. 09/411,256, filed on October 4, 1999 for Load Handling Apparatus for a Counterbalance Type Forklift by virtue of an Assignment from all of the inventors thereof executed on September 21, 1999, recorded on October 4, 1999 at Reel 010303, Frame 0202, now issued as U.S. Patent 6,273,669 as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/883,279 (continuation of U.S. Appln. No. 09/411,256) by virtue of an Assignment from all of the inventors thereof executed on September 21, 1999, recorded on October 4, 1999, at Reel 010303, Frame 0202.

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Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/883,279 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,273,669, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/883,279 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,273,669 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/883,279, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/883,279 and to be binding upon the grantee, its successors or assigns.

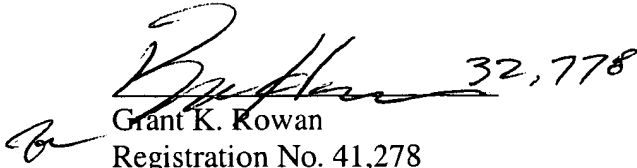
Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/883,279 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,273,669 in the event that U.S. Patent 6,273,669 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

TERMINAL DISCLAIMER
U.S. Patent Application Ser. No.: 09/883,279

Attorney Docket No.: Q63518

The undersigned whose signature and title appear below is empowered to act on behalf of
petitioner.

Respectfully submitted,


Grant K. Rowan
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